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8 United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff.

V.

DENNISE CASTRO-LOPEZ,
DESTANEY WALKER, AND
BRYAN SAHAGUN.

Defendants.

CASE NO. 1:20-CR-00062-JLT-KSO

**STIPULATION TO CONTINUE TRIAL DATE
AND EXCLUDABLE TIME PERIODS UNDER
SPEEDY TRIAL ACT; ORDER**

CURRENT DATE: January 30, 2024
TIME: 8:30 a.m.
COURT: Hon. Jennifer L. Thurston

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendants, by and through defendants' counsel of record, hereby stipulate as follows:

1. By previous order this matter was set for jury trial on January 30, 2024.

2. By this stipulation, parties now move to continue the jury trial to July 9, 2024 and the time from January 30, 2024 to July 9, 2024 under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes investigative reports, photographs, cell phone records, and related documents in electronic form, which are voluminous in nature. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

1 b) Defense counsel have been provided with a plea agreement and negotiations are
2 ongoing. Additional time is needed for consideration of the plea offers and further negotiations.

3 c) Counsel for defendants believe that failure to grant the above-requested
4 continuance would deny him/her the reasonable time necessary for effective preparation, taking
5 into account the exercise of due diligence.

6 d) Based on the above-stated findings, the ends of justice served by continuing the
7 case as requested outweigh the interest of the public and the defendant in a trial within the
8 original date prescribed by the Speedy Trial Act.

9 e) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
10 et seq., within which trial must commence, the time period of January 30, 2024 and July 9, 2024,
11 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
12 because it results from a continuance granted by the Court at defendant's request on the basis of
13 the Court's finding that the ends of justice served by taking such action outweigh the best interest
14 of the public and the defendant in a speedy trial.

15 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
16 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
17 must commence.

18 IT IS SO STIPULATED.

19 Dated: November 29, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ LAUREL J. MONTOYA
LAUREL J. MONTOYA
Assistant United States Attorney

23 Dated: November 29, 2023

/s/ KEVIN P. ROONEY
KEVIN P. ROONEY
Counsel for Defendant
Dennise Castro-Lopez

26 Dated: November 29, 2023

/s/ MONICA BERMUDEZ
MONICA BERMUDEZ
Counsel for Defendant
Bryan Sahagun

1 Dated: November 29, 2023

/s/ ANTHONY P. CAPOZZI
ANTHONY P. CAPOZZI
Counsel for Defendant
Destaney Walker

5 **FINDINGS AND ORDER**

6 IT IS SO FOUND that the ends of justice are served by requested continuance.

7 IT IS FURTHER FOUND that the ends of justice served by taking such action outweigh the best
8 interest of the public and the defendant in a speedy trial and that time is deemed excluded pursuant to 18
9 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].

10 IT IS ORDERED that the jury trial set for January 20, 2024 is continued to July 9, 2024, and that
11 the time period of January 30, 2024 to and through July 9, 2024 be excluded from the time in which trial
12 must commence.

13 IT IS SO ORDERED.

14 Dated: November 30, 2023


UNITED STATES DISTRICT JUDGE